

The above-captioned parties (collectively, the “Parties”), by their counsel, hereby stipulate that:

1. The Parties may use against an adverse party in the above-captioned lawsuit (the “Lawsuit”) any discovery, including any document, interrogatory response, response to request for admissions, or deposition transcript, that was produced or offered by such adverse party in USITC Investigation Nos. 337-TA-709, 337-TA-786, or 337-TA-822 (the “ITC Investigations”), as if the discovery had been provided in this lawsuit, to the extent such use is not otherwise foreclosed by protective order obligations to any third party;

2. Any document or information used in this action that was previously produced in the ITC Investigations shall be used and treated with the same level of confidentiality for purposes of this action (*e.g.*, a document designated by a party to the ITC Investigations as “Confidential Business Information” shall be treated as “HIGHLY CONFIDENTIAL ATTORNEYS’ EYES ONLY” pursuant to the terms of the Parties’ forthcoming Stipulated Protective Order) as an initial matter, but may be re-designated pursuant to the terms of the Stipulated Protective Order;

3. This stipulation shall constitute written permission of the Parties under the respective protective orders entered in the ITC Investigations to allow the other Parties to this stipulation to retain, solely for potential use in this Lawsuit, the Confidential Business Information supplied by each of the Parties in the ITC Investigations, subject to treatment of such information as “HIGHLY CONFIDENTIAL ATTORNEYS’ EYES ONLY” as provided in the preceding paragraph;

4. Any confidential portions of the Record from the ITC Investigations transferred to the District Court pursuant to 28 USC § 1659 shall be used and treated by the Parties in this

action as “HIGHLY CONFIDENTIAL ATTORNEYS’ EYES ONLY” pursuant to the terms of the Stipulated Protective Order;

5. Any deposition used pursuant to paragraph 1 of this stipulation shall be useable in this case as if the deposition were originally noticed and taken in this case; however, such prior depositions shall not count against the time limits specified under Rule 30(d)(1) of the Federal Rules of Civil Procedure (as modified by Court order);

6. The re-use of any document or information from the ITC Investigations as stipulated above by any Party is for discovery purposes only and does not preclude any Party from challenging the admissibility, relevance and responsiveness of the re-used document or information.

Dated: August 30, 2013

Respectfully submitted,

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CERTIFICATE OF SERVICE

I certify that on August 30, 2013, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send notification of such filing to all CM/ECF participants. I further certify that I have e-mailed the foregoing document in pdf format to all non-CM/ECF participants.

/s/ Alan D Albright

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